

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HOWARD COHEN : CIVIL ACTION  
:   
v. :   
: NO. 10-514  
CHLN, INC., et al . :

**FILED**

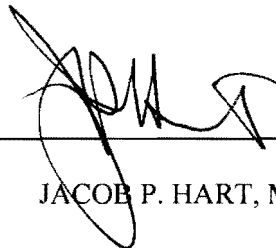
**FEB - 9 2012**

**MICHAEL E. KUNZ, Clerk**  
**By \_\_\_\_\_ Dep. Clerk**

ORDER

AND NOW, this 8<sup>th</sup> day of February, 2012, upon consideration of Defendant's Motion to Amend the Pre-Trial Statement, and the responses filed thereto, IT IS HEREBY ORDERED that Defendant's Motion is DENIED to the extent that the testimony of Mr. Sargood will not be permitted as the Court finds that its probative value may be substantially outweighed by the danger of unfair prejudice. However, if Plaintiff makes it relevant by attempting to argue that the fact that Plaintiff is no longer working at Pagelli's entitles him to a different calculation of backpay damages, or if Plaintiff otherwise introduces his termination from Pagelli's or his reasoning for no longer working there, the testimony will then be permitted.

BY THE COURT:



JACOB P. HART, M.J.